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April 25, 2011

VIA ECF

Magistrate Judge Ramon E. Reyes, Jr.
225 Cadman Plaza East, Courtroom N2E
Brooklyn, New York 11201

Re: Martin v. Jet Equipment & Tools, Inc. et al., 10-CV-05181 (ENV) (RER)

Dear Magistrate Judge Reyes:

We represent Defendant/Third-Party Plaintiff Walter Meier Manufacturing, Inc. in the *Martin* matter, a product liability action filed against Walter Meier by Plaintiff Jason Martin. The parties appeared before Your Honor on April 14, 2011 for a status conference.

On January 31, 2011, Walter Meier filed a third-party complaint for contribution and indemnification pursuant to FRCP 14 against Spring Scaffolding Inc. in accordance with the Court's scheduling order. Spring Scaffolding is identified in Plaintiff's complaint as Plaintiff Jason Martin's employer during the relevant time period. On March 15, 2011, I was advised by Third-Party Defendant's counsel that the correct entity name of Plaintiff's employer is Outdoor Installations, Inc. d/b/a Spring Scaffolding. Accordingly, on March 16, 2011, Walter Meier amended its third-party complaint to correct the naming of Plaintiff's employer. On April 26, 2011, I was informed by counsel for Outdoor Installations that Plaintiff Jason Martin was actually employed by Metric Services, Inc., a company operating out of the same location as Outdoor Installations.

In light of this new information, and at Third-Party Defendant's request, Walter Meier plans to file a Second Amended Third-Party Complaint pursuant to FRCP 15 to add Metric Services, Inc. as a defendant in this action. All parties consent to this amendment.

Respectfully submitted,

Schiff Hardin LLP

A handwritten signature of Jill L. Berry in black ink.
Jill L. Berry

cc: Mardsen Scherer (via e-mail)
George N. Statfeld

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